

# **FISCAL NOTE**

## **HB 258 - SB 349**

February 9, 2005

**SUMMARY OF BILL:** Authorizes the court, upon the request of either party, to enter a judgment for the periodic payment of future damages in any malpractice action where the award of such damages exceeds \$100,000. Periodic payments will not be ordered in any case involving an intentional tort, or wrongful conduct perpetrated with or accompanied by fraud, dishonesty, malice, willfulness, gross negligence or an extreme deviation from reasonable standards of conduct.

### **ESTIMATED FISCAL IMPACT:**

**Minimal**

Assumptions:

- There will be no impact on the cost of provider malpractice insurance because the bill does not limit the size of the awards.
- There will not be a significant impact on the state judicial system.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly distinguishable.

James W. White, Executive Director